

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

ROBERT STINSON, JR., et al.,

Defendants/Relief Defendants.

CIVIL ACTION NO.
10-CV-03130 (BMS)

HON. BERLE M. SCHILLER

ORDER

AND NOW, this _____ day of _____, 2018, upon consideration of the Receiver's Motion for the Distribution of the funds currently in the Court registry relating to the Receivership Estate to the Receiver, the Receiver's Motion is **GRANTED**. The funds currently in the Court registry relating to the Receivership Estate shall be distributed to the Receiver.

BY THE COURT:

Berle M. Schiller, J.

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**RECEIVER'S MOTION FOR DISTRIBUTION OF FUNDS
CURRENTLY IN THE COURT REGISTRY RELATING TO THE
RECEIVERSHIP ESTATE TO THE RECEIVER**

Plaintiff, Kamian Schwartzman, in his capacity as Receiver for the Receivership Estate established by the Court in SEC v. Robert Stinson, Jr., et al., Civil Action No. 10-03130, respectfully moves the Court to enter an order permitting the distribution of the funds currently in the Court registry account relating to the Receivership Estate to the Receiver. In support of his Motion, the Receiver states as follows:

1. On September 13, 2010, the Court entered an Order Establishing Receivership Estate. See Docket No. 29. Also on September 13, 2010, the Court entered an Order appointing Kamian Schwartzman as Receiver in this action and Gaetan Alfano, Esquire, as Receiver's counsel. See Docket No. 30.
2. As of February 24, 2015, the Receiver had collected \$1,623,127.57.
3. In an Order entered on January 13, 2015 ("Order to Show Cause"), the Court set forth procedures by which Notice of the proposed distribution would be provided to defrauded

investors and other interested parties, and by which interested parties could submit objections to the proposed distribution. Docket 334. The Commission staff complied with those procedures.

4. By Order entered on March 11, 2015, this Court approved the Amended Distribution Plan (Dkt. 339) (the “Plan”) and appointed Damasco & Associates as the Tax Administrator for the Distribution Fund.

5. Pursuant to the Plan, the Tax Administrator satisfied identified expenses, distributed \$212,349.35 to the victims of Robert Stinson, filed a final tax return on behalf of the Distribution Fund and prepared a Final Accounting.

6. As reflected in the Accounting, the Tax Administrator successfully distributed over 99% of the Distribution Fund.

7. The Tax Administrator was unable to locate 4 investors whose distributions totaled \$1,587.13. These funds were remitted to the Clerk of the Court.

8. On December 21, 2016, the SEC filed the Notice of Completion of Distribution and Filing of the Final Fund Accounting.

9. Additional funds, in the amount of approximately \$454.65, were deposited into the Court registry in partial satisfaction of a judgment in this case.

10. As provided in paragraph 72 of the Plan, upon application by the Commission or the Estate Professionals on or after the one-year anniversary of the filing of the Notice of Completion of Distribution and Filing of the Final Fund Accounting, the Court shall determine if and how any funds held by the Court shall be distributed.

11. Counsel for the SEC has informed Counsel for Receiver that it does not oppose the Receiver’s Motion for Distribution of the funds currently in the Court registry relating to the Receivership Estate to the Receiver.

WHEREFORE, the Receiver respectfully requests that the Court enter an Order granting distribution of the funds currently in the Court registry relating to the Receivership Estate to the Receiver.

Respectfully submitted,

**PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP**

By:



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Dated: November 19, 2018